

<p style="text-align: center;"><b>UTILITY PATENT APPLICATION TRANSMITTAL</b></p> <p style="text-align: center;">(Only for new nonprovisional applications under 37 CFR 1.53(b))</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Attorney Docket No.</td> <td style="width: 50%;">SJ-02-0016</td> </tr> <tr> <td>First Inventor</td> <td>WEBSTER, R.</td> </tr> <tr> <td>Title</td> <td>IMPROVED METHOD FOR GENERATING INFLUENZA VIRUSES AND VACCINES</td> </tr> <tr> <td>Express Mail Label No.</td> <td>EV 143571440 US</td> </tr> </table>	Attorney Docket No.	SJ-02-0016	First Inventor	WEBSTER, R.	Title	IMPROVED METHOD FOR GENERATING INFLUENZA VIRUSES AND VACCINES	Express Mail Label No.	EV 143571440 US
Attorney Docket No.	SJ-02-0016								
First Inventor	WEBSTER, R.								
Title	IMPROVED METHOD FOR GENERATING INFLUENZA VIRUSES AND VACCINES								
Express Mail Label No.	EV 143571440 US								
<p><b>APPLICATION ELEMENTS</b></p> <p>* See MPEP chapter 600 concerning utility patent application contents.</p>	<p><b>ADDRESS TO:</b></p> <p>Mail Stop Patent Application Commissioner for Patent PO Box 1450 Alexandria, VA 22213-1450</p>								
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 26] (Preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Application</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 2] a. <input checked="" type="checkbox"/> Oath or Declaration</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p style="margin-left: 20px;">b. <input checked="" type="checkbox"/> Copy for prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p style="margin-left: 40px;">i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) Name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary)</p> <p style="margin-left: 20px;">a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</p> <p style="margin-left: 20px;">b. Specification Sequence Listing on:</p> <ul style="list-style-type: none"> <li>i. <input checked="" type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input checked="" type="checkbox"/> Paper</li> </ul> <p style="margin-left: 20px;">c. <input checked="" type="checkbox"/> Statements verifying identity of above copies</p>								
<p style="text-align: center;"><b>ACCOMPANYING APPLICATION PARTS</b></p>									
<p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB35 or its equivalent</p> <p>17. <input type="checkbox"/> Other _____</p>									

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_

Prior Application information: Examiner: \_\_\_\_\_ Art Unit: \_\_\_\_\_

**FOR CONTINUATION OF DIVISIONAL APPS only:** The entire disclosure of the prior application, form which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number 28258				or <input type="checkbox"/> Correspondence address below	
Name					
Address					
City		State		28258	
Country		Telephone		PATENT TRADEMARK OFFICE	
Name (Print/Type)		Shawn A. Hawkins		Registration No. (Attorney/Agent)	
Signature		<i>Shawn A. Hawkins</i>		Date 9/4/03	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22213-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450

22141 U.S. PRO  
10/25/03  
09/04/03

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control Number

**FEE TRANSMITTAL  
for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision

☒ Applicant claims small entity status. See 37 CFR 1.27**Total Amount of Payment** (\$552.00)**METHOD OF PAYMENT (Check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number 501968Deposit Account Name St. Jude Children's Research Hospital

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee	\$	Fee	\$		
Code		Code			
1001	750	2001	375	Utility filing fee	375
1002	320	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
Subtotal (1)					(\$375)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Claims		Fee from below		Fee Paid
Total Claims				
Independent Claims	21 -20** = 1	X 9 = 9		
	7 -3** = 4	X 42 = 168		

Multiple Dependent

Large Entity		Small Entity		Fee Description
Fee	\$	Fee	\$	
Code		Code		
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	**Reissue independent claims over patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
Subtotal (2)				(\$ 177)

\*\*or number previously paid, if greater; For Reissues, see above

**Complete if Known**

Application Number	No Yet Assigned
Filing Date	Herewith (September 4, 2003)
First Named Inventor	WEBSTER, R.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	SJ-02-0016

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	\$	Code	\$		
1051	130	2051	65	Surcharge – late filing fee or oath	
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	405	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,300	2453	650	Petition to revive – unintentional	
1501	1,300	2501	650	Utility issue fee (or resue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(d))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)					(\$)

\*Reduced by Basic Filing Fee Paid



28258

PATENT TRADEMARK OFFICE

**SUBMITTED BY**Name (Print/Type) **Shawn A. Hawkins**Registration No. **50,318**  
(Attorney/Agent)

(Complete if applicable)

Telephone (901) 495-2342

Signature

*Shawn A. Hawkins*

Date

*9/4/03*



**28258**  
PATENT TRADEMARK OFFICE

September 4, 2003

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

*Mail Stop Patent Application*

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. To be assigned; Filed: Herewith (Date)  
For: Improved Method for Generating Influenza Viruses and Vaccines  
Inventors: Webster, *et al*  
Our Ref: SJ-02-0016

Sir:

The following documents are forwarded herewith for appropriate action by the  
U.S. Patent and Trademark Office:

1. PTO Utility Patent Application Transmittal (*in duplicate; 1 page each, 2 pages total*);
2. Fee Transmittal for FY 2003; (*in duplicate; 1 page each, 2 pages total*);
3. U.S. Utility Patent Application entitled:

**Improved Method for Generating Influenza Viruses and Vaccines**

and naming as inventors:

Robert Gordon Webster;  
Richard John Webby; and  
Hiroichi Ozaki

the application consisting of:

- a. A specification totaling 26 pages containing:

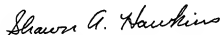
- i. 22 pages of description prior to the claims;
  - ii. 3 pages of claims (21 claims); and
  - iii. a one (1) page abstract.
- 
- 4. Formal Drawing (Figures 1 -2) (2 pages);
  - 5. Executed Declaration and Power of Attorney for Patent Application (3 pages);
  - 6. Executed Assignment and recordation cover sheet (4 pages);
  - 7. Sequence Listing in computer readable disc (3.5 inch computer disc) and paper (6 pages) form along with a statement verifying the identity of both forms (1 page);
  - 8. Express Mail Label No. EV 143571440 US; and
  - 9. Two (2) self-addressed and stamped return postcards.

Please charge Deposit Account No. 501968 a total of \$592.00 to cover:

\$552	Small Entity fees under 37 C.F.R. §1.16(a), (b) and (c) for filing a utility patent application with excess independent and dependent claims;
\$40.00	Assignment recordation fee under 37 C.F.R. §1.21(h).

The Commissioner is hereby authorized to charge any additional payment required by this submission, or credit any overpayment, to Deposit Account No. 501968.

Regards,



Shawn A. Hawkins  
Reg. No. 50,318  
Associate Director, Office of  
Technology Licensing

:rdm

Enclosures